

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**MARIA ROJAS,
Plaintiff,**

V.

**RENFRO INDUSTRIES, INC.,
DISPUTE SOLUTIONS, INC. AND
ESSENTIAL CORPORATE
SOLUTIONS, INC.
Defendants.**

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No. 3:16-cv-02896-D

PLAINTIFF'S MOTION TO REMAND

Maria Rojas, Plaintiff, asks this Court to remand this case to Texas state court.

1. Rojas filed this case originally in the 101st District Court of Dallas County, Texas, Case No. DC-16-09905, alleging causes of action against Renfro Industries, Inc., Dispute Solutions, Inc., and Essential Corporate Solutions, Inc. (ECF # 1-2.) Rojas and all the Defendants are citizens and residents of Texas.
2. On October 12, 2016, Rojas filed her First Amended Original Petition (ECF # 1-13.)
3. On October 14, 2016, Defendants filed their Notice of Removal alleging that this Court has original jurisdiction under 28 U.S.C. section 1331 because Rojas was asserting claims completely preempted by ERISA. (ECF # 1 at 4.)
4. The Motion should be granted and this case should be remanded to state court because Rojas' claims are not completely preempted, and this Court does not have jurisdiction over this case under 28 U.S.C. section 1331 or otherwise.
5. This Motion is based on the pleadings and papers on file in this case and the Brief in Support of Plaintiffs Motion to Remand filed contemporaneously herewith.

Respectfully submitted,

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By: /s/ Lawrence R. Lassiter

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF CONFERENCE

I hereby certify that on November 3rd, 2016, I contracted counsel for the Defendants who indicated that all the Defendants opposed the Motion to Remand.

/s/ Lawrence R. Lassiter
Lawrence R. Lassiter

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on the following through the Court's ECF system on this 3rd day of November, October, 2016.

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